PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/563,154

Filing Date:

January 4, 2006

Applicant:

Yong Cheol PARK

Group Art Unit:

2627

Examiner:

Dionne Pendleton

Title:

Method and Apparatus for Managing a Overwrite Recording on Optical

Disc Write Once

Attorney Docket:

46500-000329/US

Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314 Mail Stop Amendment January 2, 2009

## **INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

## I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form PTO-1449 attached hereto.

#### II. <u>COPIES</u>

A. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication
or that portion which caused it to be listed, other than U.S. patents and U.S. patents
application publications unless required by the Office; (iii) for each cited pending
unpublished U.S. application listed below in Section IV, the application specification
including the claims, and any drawing of the application, or that portion of the application
which caused it to be listed including any claims directed to that portion; and (iv) all other
information or that portion which caused it to be listed.

B. Any patents, publications or other information which are listed on Form PTO-1449 or on the copies of Form PTO-892, but which are not enclosed herewith, were previously

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cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

# U.S. Serial Number

# U.S. Filing Date

	C. Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form PTO-1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form PTO-1449 are enclosed herewith.
	D. This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form PTO-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))
III.	CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)
	A. \( \subseteq  Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).
	B. A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):
	<ol> <li>See the attached foreign patent office communication from a counterpart foreign application:</li> <li>English abstract is provided for:</li> <li>Other:</li> </ol>
	C. The following additional information is provided for the Examiner's consideration: Search Report issued December 5, 2008 by the EPO in counterpart European Patent Application No. 05792965.5-1232. US Patent No. 5,448,728, International Publication No. WO 2004/015707, and International Publication No. WO 2004/053874, also cited in the Search Report, were submitted to the USPTO in IDSs previously filed in connection with the present application.

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IV.	CROSS REFERENCE TO RELATED APP	LICATION(S)	
	A. The Examiner is advised that the for subject matter that may be related to the application(s) to the Examiner's attentic confidentiality provisions of 35 U.S.C. § 12	present application. on, Applicant(s) de	By bringing this(these)
	Serial No. Filing	<u>Date</u>	Art Unit
V.	THIS IDS IS BEING FILED UNDER		
	A. 37 C.F.R. § 1.97(b): (check only one	box)	
	1. within three months of the fili continued prosecution application § 1.97(b)(1)). No fee or certification	under 37 C.F.R.	
	2. within three months of the date C.F.R. §1.491 in an international appearing certification is required.	•	_
	3. before the mailing of a firs § 1.97(b)(3)). No fee or certification Action on the merits has been issue § 1.97(c) and see the certification certification has been made, charge \$180.00 as required by 37 C.F.R. § 1	n is required. In the ed, please consider the under 37 C.F.R. § e our deposit account	e event that a first Office his IDS under 37 C.F.R. 1.97(e) below; or, if no
	4.  before the mailing of a first continued examination under 37 C.F		
	B. 37 C.F.R. § 1.97(c): (check <u>only</u> one	box)	
	before the mailing date of either \$ 1.113, a Notice of Allowance under closes prosecution.		
	1. No certification; therefore, a feet. St. 1.17(p).	ee in the amount of \$	\$180.00 is required by 37
	2. See the certification below. N	o fee is required.	

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	C. 37 C.F.R. § 1.97(d):
	after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.
	1. See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
VI.	CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)
	The undersigned hereby certifies that:
	A. \( \subseteq \) each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. \§ 1.97(e)(1)). See further statement under 37 C.F.R. \§ 1.704(d) below in section VII, if applicable; or
	B. no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
	C. Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.
VII.	STATEMENT UNDER 37 C.F.R. § 1.704(d)
	The undersigned hereby states that:
	each item of information contained in this IDS was cited in a communication from a patent office in a counterpart application and this communication was not received by any dual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS

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VIII.	PAYMENT OF FEES (check only one box)			
	A. No fee is believed to be due in light of the above-noted status or above-provided certification.			
	B. A check in the amount of \$180.00 is enclosed for the above-identified fee.			
	C. Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.			
which in the	The above references are being cited only in the interest of candor and without any sion that they constitute statutory prior art, contain matter which anticipates the invention, or would render the same obvious, either singly or in combination, to a person of ordinary skill art. Furthermore, this Information Disclosure Statement shall not be construed as a entation that a search has been made.			
	If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to ler this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee posit Account No. 08-0750.			
Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 08-0750.				
	Respectfully submitted,			
	HARNESS, DICKEY, & PIERCE, P.L.C.			
	P.O. Box 8910 Reston, Virginia 20195 (703) 668-8000			
TLC/d	lab			
Enclos	sures:  Form PTO-1449 (1 sheet)  Document  Foreign Search Report  Fee  Other:			

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